

FISCAL NOTE

HB 19 - SB 204

February 18, 2003

SUMMARY OF BILL: Prohibits employer of a public employee from questioning the employee about or in any way harassing the employee or from taking adverse employment action concerning a medical condition for which the public employee has a letter or other document from the treating medical professional indicating the medical diagnosis. Specifies that provisions do not prohibit a public employee from pursuing any other remedy provided by law.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Exceeds \$100,000

Increase Local Govt. Expenditures* - Exceeds \$100,000

Estimate assumes:

- public employees will be able to take leave not authorized in the absence of the bill and can potentially remain at work with a condition that might prevent them from performing their job.
- state and local governments will experience increased costs related to absent or under performing employees including loss of productivity, increased overtime for staff covering for absent employees and potentially necessary overstaffing. Such increases are estimated to be significant.
- an increase in expenditures for possible litigation arising from the provisions of the bill.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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